

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3, 5-7, 9, 10, 13, 15 and 18-24 are pending in the application, with claims 1 and 24 being the independent claims. Claims 1, 6, 7, 9, 10, 18, 19, and 24 are sought to be amended. Applicants reserve the right to prosecute similar or broader claims, with respect to any amended or canceled claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejection Under 35 U.S.C. § 112

Claims 1, 3, 5-7, 9, 10, 13, 15, and 18-24 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Without acquiescing to the propriety of the rejection, and merely to expedite prosecution, Applicants seek to amend claims 1 and 24. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 1-3, 5-7, 9, 13, 15, 19-21, and 24

Claims 1-3, 5-7, 9, 13, 15, 19-21, and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,399,261 to Sandstrom

("Sandstrom") in view of U.S. Patent No. 5,610,897 to Yamamoto *et al.* (hereinafter "Yamamoto"). Applicants respectfully traverse.

Claims 1 and 24 recite features distinguishable over the applied references. For example, claim 1 recites the following:

correlating the first image and the respective voltage values associated with the at least one moved pixel to generate respective result signals, wherein the correlating comprises comparing the first image to the second image.

Claim 24, using its respective language, recites a similar distinguishing feature.

Sandstrom discloses a technique to block light reflected from a non-deflected micromirror in a spatial light modulator (SLM) from reaching a substrate using an aperture. (*See* col. 3, lines 10-58 and FIGs. 4a-4g.) In calibrating the SLM, Sandstrom relies on a lookup table that is generated using "an empirical calibration procedure where a series of test patterns are sent to the SLM and the resulting exposed patterns are measured and used for individual pixel correction." (Col. 13, lines 27-34.) Sandstrom's teaching of the general use of look up tables is silent with respect to what the empirical calibration procedure is, which cannot be said to disclose at least "correlating the first image and the respective voltage values associated with the at least one moved pixel to generate respective result signals, wherein the correlating comprises comparing the first image to the second image" as respectively recited in claims 1 and 24. Therefore, Sandstrom does not teach or suggest at least the above-noted distinguishing features of claims 1 and 24.

Yamamoto is being used to disclose, which Applicants do not acquiesce to, using a semi-plane knife edge that removes all light passing through the side of the semi-plane knife-edge and thus deleting all light on that side of which would have been collected at

item 120, including a zero order lobe on that side of a diffraction pattern (e.g., fig. 45 list "diffraction patterns")." (Office Action, 03/17/09, p. 6.) However, Yamamoto is not being relied upon to teach at least the above-noted distinguishing features of claims 1 and 24, nor does Yamamoto cure the deficiencies in Sandstrom.

In view of the above, Sandstrom and Yamamoto, taken alone or in combination, cannot be used to establish a *prima facie* case of obviousness for at least the above-noted features of claims 1 and 24. Therefore, at least based on their dependency from claims 1 and 24, claims 3, 5-7, 9, 10, 13, 15, and 18-23 should be found patentable over the cited references, as well as for their additional distinguishing features.

Claims 10 and 18

Claims 10 and 18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sandstrom in view of Yamamoto, and further in view of U.S. Patent No. 5,965,330 to Evans *et al.* (hereinafter "Evans"). Applicants respectfully traverse.

On page 9 of the Office Action, the Examiner stated that Sandstrom and Yamamoto do not teach or suggest the features of claims 10 and 18. Rather, the Examiner relied on Evans. The portions of Evans relied on by the Examiner do not appear to teach or suggest at least the above-noted distinguishing features of claims 1 and 24. Thus, the applied reference cannot be used to cure the deficiencies of Sandstrom and Yamamoto, or to establish a *prima facie* case of obviousness for claims 1 and 24.

Therefore, at least based on their respective dependency from claims 1 and 24, claims 10 and 18 should be found patentable over the cited references, as well as for their additional distinguishing features.

Claims 22 and 23

Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sandstrom in view of Yamamoto, and further in view of U.S. Patent No. 6,369,879 to Pedersen ("Pedersen"). Applicants respectfully traverse.

On page 10 of the Office Action, the Examiner stated that Sandstrom and Yamamoto do not teach or suggest the features of claims 22 and 23. Rather, the Examiner relied on Pedersen. The portions of Pedersen relied on by the Examiner do not appear to teach or suggest at least the above-noted distinguishing features of claims 1 and 24. Thus, the applied reference cannot be used to cure the deficiencies of Sandstrom and Yamamoto, or to establish a *prima facie* case of obviousness for claims 1 and 24.

Therefore, at least based on their respective dependency from claims 1 and 24, claims 22 and 23 should be found patentable over the cited references, as well as for their additional distinguishing features.

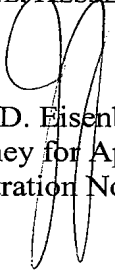
In view of the above, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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